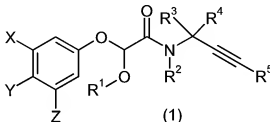


AMENDMENTS TO THE CLAIMS

1 - 18 Cancelled

19. (Currently Amended) A method of combating or controlling phytopathogenic fungi with ~~up to~~ 60% to 100% fungal control which comprises applying a fungicidally effective amount of a compound of the general formula (1)



wherein

X, Y and Z are independently H, halogen, C₁₋₄ alkyl, halo(C₁₋₄)alkyl, C₂₋₄ alkenyl, halo(C₂₋₄)alkenyl, C₂₋₄ alkynyl, halo(C₂₋₄)alkynyl, C₁₋₄ alkoxy, halo(C₁₋₄)alkoxy, -S(O)_n(C₁₋₄)alkyl where n is 0, 1 or 2 and the alkyl group is optionally substituted with fluoro, -OSO₂(C₁₋₄)alkyl where the alkyl group is optionally substituted with fluoro, cyano, nitro, C₁₋₄ alkoxycarbonyl, -CONR'R", -COR', -NR'COR" or -NR'COOR"" where R' and R" are independently H or C₁₋₄ alkyl and R"" is C₁₋₄ alkyl, provided that at least one of X and Z is other than H;

R¹ is a straight-chain C₁₋₄ alkyl group;

R² is H, C₁₋₄ alkyl, C₁₋₄ alkoxymethyl or benzyloxymethyl in which the phenyl ring of the benzyl moiety is optionally substituted with C₁₋₄ alkoxy;

R³ and R⁴ are independently H, C₁₋₃ alkyl, C₂₋₃ alkenyl or C₂₋₃ alkynyl provided that both are not H and that when both are other than H their combined total of carbon atoms does not exceed 4, or R³ and R⁴ join with the carbon atom to which they are attached to form a 3 or 4 membered carbocyclic ring optionally containing one O, S or N atom and optionally substituted with halo or C₁₋₄ alkyl; and

R⁵ is H, C₁₋₄ alkyl or C₃₋₆ cycloalkyl in which the alkyl or cycloalkyl group is optionally substituted with halo, hydroxy, C₁₋₆ alkoxy, cyano, C₁₋₄ alkylcarbonyloxy, aminocarbonyloxy, mono- or di(C₁₋₄)alkylaminocarbonyloxy, -S(O)_n(C₁₋₆)alkyl where n is 0, 1 or 2, triazolyl, tri(C₁₋₄)-alkylsilyloxy, optionally substituted phenoxy, optionally substituted thienyloxy, optionally substituted benzyloxy or optionally substituted thienylmethoxy, or

R⁵ is optionally substituted phenyl, optionally substituted thienyl or optionally substituted benzyl, in which the optionally substituted phenyl and thienyl rings of the R⁵ values are optionally

substituted with one, two or three substituents selected from halo, hydroxy, mercapto, C₁₋₄ alkyl, C₂₋₄ alkenyl, C₂₋₄ alkynyl, C₁₋₄ alkoxy, C₂₋₄ alkenyloxy, C₂₋₄ alkynyloxy, halo(C₁₋₄)alkyl, halo(C₁₋₄)alkoxy, C₁₋₄ alkylthio, halo(C₁₋₄)alkylthio, hydroxy(C₁₋₄)alkyl, C₁₋₄ alkoxy(C₁₋₄)alkyl, C₃₋₆ cycloalkyl, C₃₋₆ cycloalkyl(C₁₋₄)alkyl, phenoxy, benzyloxy, benzoyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, -NR^mRⁿ, -NHCOR^m, -NHCONR^mRⁿ, -CONR^mRⁿ, -SO₂R^m, -OSO₂R^m, -COR^m, -CR^m=NRⁿ or -N=CR^mRⁿ, in which R^m and Rⁿ are independently hydrogen, C₁₋₄ alkyl, halo(C₁₋₄)alkyl, C₁₋₄ alkoxy, halo(C₁₋₄)alkoxy, C₁₋₄ alkylthio, C₃₋₆ cycloalkyl, C₃₋₆ cycloalkyl(C₁₋₄)alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C₁₋₄ alkyl or C₁₋₄ alkoxy.

to a plant, to a seed of a plant, to the locus of the plant or seed or to soil or any other plant growth medium.

20. (Previously Presented) The method according to claim 19, wherein X, Y and Z are chloro or methyl, or X and Z are chloro or bromo and Y is H or methyl, or X and Z are methyl or methoxy and Y is H, chloro, bromo or alkylthio, or X is methoxy, Y is H and Z is cyano or chloro, or X is methyl, Y is H and Z is ethyl, or X is chloro, bromo or trifluoromethyl and Y and Z are H.

21. (Previously Presented) The method according to claim 19, wherein R¹ is methyl, ethyl, *n*-propyl, or *n*-butyl.

22. (Previously Presented) The method according to claim 19 wherein R¹ is methyl or ethyl.

23. (Previously Presented) The method according to claim 1 wherein R² is H.

24. (Previously Presented) The method according to claim 19 wherein both R³ and R⁴ are methyl.

25. (Previously Presented) The method according to claim 19 wherein R⁵ is H, methyl, hydroxymethyl, methoxymethyl, 1-methoxyethyl, *tert*-butyldimethylsilyloxymethyl, 3-cyanopropyl, 3-(1,2,4-triazol-1-yl)propyl, 3-methylthiopropyl, 3-methanesulfinylpropyl or 3-methanesulphonylpropyl.

26. (Previously Presented) The method according to claim 19 wherein X, Y and Z are independently H, halogen, C₁₋₄ alkyl, halo(C₁₋₄)alkyl, C₂₋₄ alkenyl, halo(C₂₋₄)alkenyl, C₂₋₄ alkynyl, halo(C₂₋₄)alkynyl, C₁₋₄ alkoxy, halo(C₁₋₄)alkoxy, -S(O)_n(C₁₋₄)alkyl where n is 0, 1 or 2 and the alkyl group is optionally substituted with fluoro, -OSO₂(C₁₋₄)alkyl where the alkyl group is optionally substituted with fluoro, cyano, nitro, C₁₋₄ alkoxycarbonyl, -CONR^rR^s, -COR^r or -NR^rCOR^s where R^r

and Rⁿ are independently H or C₁₋₄ alkyl, provided that at least one of X and Z is other than H; R¹ is a straight-chain C₁₋₄ alkyl group; R² is H, C₁₋₄ alkyl, C₁₋₄ alkoxyethyl or benzyloxyethyl in which the phenyl ring of the benzyloxy moiety is optionally substituted with C₁₋₄ alkoxy; R³ and R⁴ are independently H, C₁₋₃ alkyl, C₂₋₃ alkenyl or C₂₋₃ alkynyl provided that both are not H and that when both are other than H their combined total of carbon atoms does not exceed 4, or R³ and R⁴ join with the carbon atom to which they are attached to form a 3 or 4 membered carbocyclic ring optionally containing one O, S or N atom and optionally substituted with halo or C₁₋₄ alkyl; and R⁵ is H, C₁₋₄ alkyl or C₃₋₆ cycloalkyl in which the alkyl or cycloalkyl group is optionally substituted with halo, hydroxy, C₁₋₆ alkoxy, C₁₋₆ alkylthio, cyano, C₁₋₄ alkylcarbonyloxy, aminocarbonyloxy or mono- or di(C₁₋₄)alkylaminocarbonyloxy, tri(C₁₋₄)-alkylsilyloxy, optionally substituted phenoxy, optionally substituted thienyloxy, optionally substituted benzyloxy or optionally substituted thienylmethoxy, or R⁵ is optionally substituted phenyl, optionally substituted thienyl or optionally substituted benzyl, in which the optionally substituted phenyl and thienyl rings of the R⁵ values are optionally substituted with one, two or three substituents selected from halo, hydroxy, mercapto, C₁₋₄ alkyl, C₂₋₄ alkenyl, C₂₋₄ alkynyl, C₁₋₄ alkoxy, C₂₋₄ alkenyloxy, C₂₋₄ alkynyloxy, halo(C₁₋₄)alkyl, halo(C₁₋₄)alkoxy, C₁₋₄ alkylthio, halo(C₁₋₄)alkylthio, hydroxy(C₁₋₄)alkyl, C₁₋₄ alkoxy(C₁₋₄)alkyl, C₃₋₆ cycloalkyl, C₃₋₆ cycloalkyl(C₁₋₄)alkyl, phenoxy, benzyloxy, cyano, isocyano, thiocyanato, isothiocyanato, nitro, -NR^mRⁿ, -NHCOR^m, -NHCONR^mRⁿ, -CONR^mRⁿ, -SO₂R^m, -OSO₂R^m, -COR^m, -CR^m=NRⁿ or -N=CR^mRⁿ, in which R^m and Rⁿ are independently hydrogen, C₁₋₄ alkyl, halo(C₁₋₄)alkyl, C₁₋₄ alkoxy, halo(C₁₋₄)alkoxy, C₁₋₄ alkylthio, C₃₋₆ cycloalkyl, C₃₋₆ cycloalkyl(C₁₋₄)alkyl, phenyl or benzyl, the phenyl and benzyl groups being optionally substituted with halogen, C₁₋₄ alkyl or C₁₋₄ alkoxy.

27. (Previously Presented) The method according to claim 19 wherein X, Y and Z are all chloro or methyl, or X and Z are both chloro or bromo and Y is H or methyl, or X and Z are both methyl or methoxy and Y is H, chloro, bromo or alkylthio, or X is methoxy, Y is H and Z is cyano or chloro, or X is methyl, Y is H and Z is ethyl, or X is chloro, bromo or trifluoromethyl and both Y and Z are H; R¹ is methyl, ethyl, *n*-propyl or *n*-butyl; R² is H; R³ and R⁴ are both methyl; and R⁵ is H, methyl, hydroxymethyl, methoxymethyl, 1-methoxyethyl, *tert*-butyldimethylsilyloxymethyl, 3-cyanopropyl, 3-(1,2,4-triazol-1-yl)propyl, 3-methylthiopropyl, 3-methanesulphinylpropyl or 3-methanesulphonylpropyl.

28. (Previously Presented) The method according to claim 19, wherein the fungicidally effective amount of a compound of the general formula (1) is applied to plant seed.

29. (Previously Presented) The method according to claim 28, wherein the seed is plant seed for crops selected from wheat, rice, barley, turf, rye, coffee, pears, apples, peanuts, sugar beets, ornamentals, melons, hops, cucumbers, aubergines, peppers, bananas, soybeans, tomatoes, strawberries, carrots, oilseed rape, potatoes, stone fruits, tree nuts, peas, onions, lettuce, avocados, cocoa, cotton, papaya, pecans, citrus, olives, roses, maize, grapes, and oranges.

30. (Previously Presented) The method according to claim 19, wherein the fungicidally effective amount of a compound of the general formula (1) is applied to a plant.

31. (Previously Presented) The method according to claim 30, wherein the plant is a crop plant selected from wheat, rice, barley, turf, rye, coffee, pears, apples, peanuts, sugar beets, ornamentals, melons, hops, cucumbers, aubergines, peppers, bananas, soybeans, tomatoes, strawberries, carrots, oilseed rape, potatoes, stone fruits, tree nuts, peas, onions, lettuce, avocados, cocoa, cotton, papaya, pecans, citrus, olives, roses, maize, grapes, and oranges.

32. (Previously Presented) The method according to claim 19, wherein the fungicidally effective amount of a compound of the general formula (1) is applied to plant growth medium.